

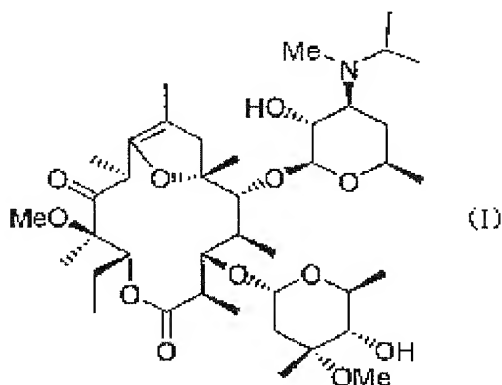
### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

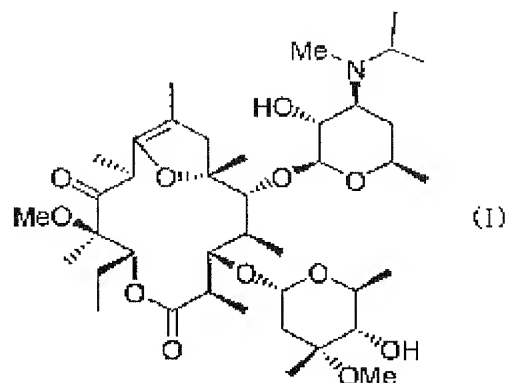
Listing of Claims:

Claims 1-24. (Cancelled)

25. (Currently Amended) A process for preparing a hemifumarate anhydrate of a compound of formula (I):



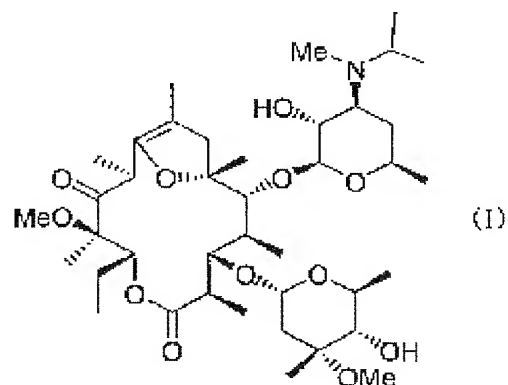
characterized by 2-theta angle positions in the powder X-ray diffraction pattern of ~~for~~ 7.1°, 13.5° and 14.2°, said process comprising treating Crystal ~~form~~ Form C at 20-40°C in a mixed solvent of ethyl acetate and water to obtain Crystal Form E, and stirring the Crystal Form E in a mixed solvent of ethyl acetate and water at less than 20°C to obtain a hemifumarate crystal of a compound of formula (I):



characterized by 2-theta angle positions in the powder X-ray diffraction pattern of 6.6° and 8.5°, and drying the hemifumarate crystal under reduced pressure to obtain said anhydrate,

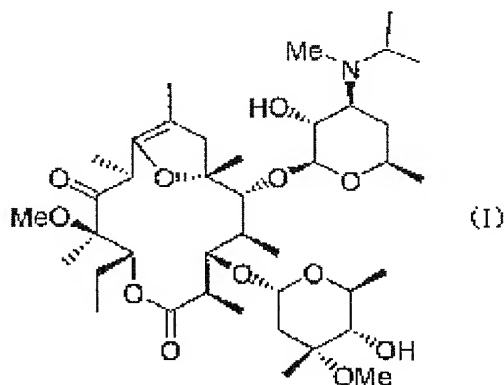
wherein Crystal Form E is a hemifumarate hydrate of a compounds formula (I) that has 2-theta angle positions in the powder X-ray diffraction patterns of 5.6° and 10.4° as measured by X-ray diffractometry.

26. (Currently Amended) Crystal Form of a A hemifumarate anhydrate of a compound of formula (I):

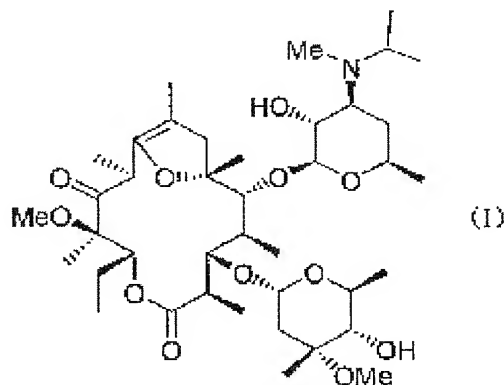


~~Characterized~~ characterized by 2-theta angle positions in the powder X-ray diffraction pattern of 7.1°, ~~13.15~~ 13.5° and 14.2°, which crystal is obtained by the process of claim 25.

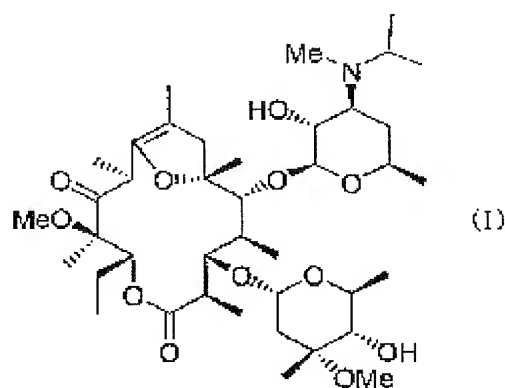
27. (Currently Amended) A process for preparing a hemifumarate hydrate of a compound of formula (I):



characterized by 2-theta angle positions in the powder X-ray diffraction pattern of 7.1° and 14.2°, said process comprising stirring Crystal Form E in a mixed solvent of ethyl acetate and water to obtain a hemifumarate crystal of a compound of formula (I):



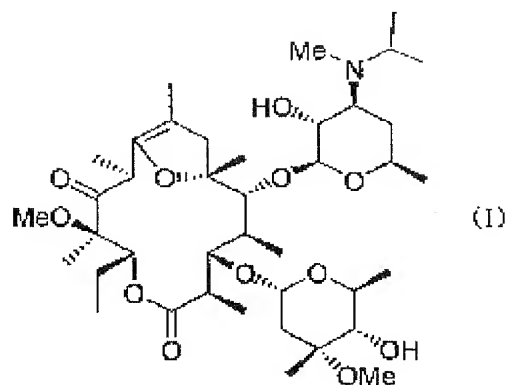
~~Characterized~~ characterized by 2-theta angle positions in the powder X-ray diffraction patterns of 6.6° and 8.5°, and drying the hemifumarate crystal under reduced pressure to obtain a hemifumarate anhydrate of a compound of formula (I):



characterized by 2-theta angle positions in the powder X-ray diffraction pattern of 7.1°, 13.5° and 14.2°, and conditioning the anhydrate to obtain said hydrate;

wherein ~~crystal~~ Crystal Form E is a hemifumarate hydrate of a compound of formula (I) ~~that contains tetrahydrofuran and that has 2-theta angle positions in the powder X-ray diffraction pattern of 5.6° and 10.4° as measured X-ray diffractometry.~~

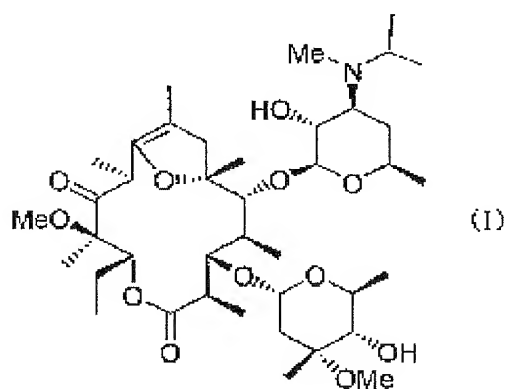
28. (Currently Amended) A Crystal Form of a hemifumarate hydrate of a compound of formula (I):



characterized by 2-theta angle positions in the powder X-ray diffraction pattern of 7.1° and 14.2°, which crystal is obtained by the process of claim 27.

Claims 29-34. (Cancelled)

35. (Currently Amended) Crystal ~~form~~ Form D of a hemifumarate hydrate of a compound of formula (I):



which crystal is obtained via Crystal Form E,

Appln. No. 10/501,215  
Amd. dated August 18, 2009  
Reply to Office Action of May 19, 2009

wherein Crystal Form E is a hemifumarate hydrate of a  
compound of formula (I) that has 2-theta angle positions in the powder X-  
ray diffraction pattern of 5.6° and 10.4° as measured X-ray diffractometry.